Good Monday Morning. At the conclusion of this message is the Federal Advocacy and Public Policy Update for September 13, 2021. Please let me know if you have any questions regarding the items found in this week's report.

Have a great week and as always, thank you for all you do on behalf of public education in the Commonwealth.

Best,

J.T.

Federal Advocacy & Public Policy Update
September 13, 2021

Congressional Update

House Education Committee Advances Reconciliation Proposal

On Wednesday, September 8, the House Education and Labor Committee released the text of its portion of Congressional Democrats' forthcoming budget reconciliation package. As a reminder, Congressional Democrats are working to enact a $3.5 trillion domestic spending package via the budget reconciliation process-a legislative maneuver that allows Democrats to advance certain legislation via simple majorities within both chambers. Congressional Democrats aim to use this forthcoming package to complement a narrower infrastructure package passed recently by the Senate. Until consideration of this wider $3.5 trillion bill is complete, House Democratic leaders have held off on consideration of the infrastructure bill. In this way, Congressional leaders hope to garner the necessary votes to advance both proposals later this fall.

The release of this reconciliation text is a significant next step in the wider legislative effort. Following the release of the text, the House Education and Labor Committee began a markup of this legislation where committee members considered nearly fifty proposed changes to the underlying legislative text. This markup is still ongoing and so far, the changes adopted by the committee have not significantly altered the main contours of the proposed legislation. If enacted, the bill would provide a number of investments in K-12 education, including $82 billion for K-12 school infrastructure, $197 million for "Grow Your Own" teacher preparation programs meant to increase teacher workforce diversity, $198 million for teacher residency programs, $198 million for school leadership programs, and $297 million for the Part D of the Individuals with Disabilities Education Act (IDEA). In addition, the bill proposes significant new funding, by some estimates $450 billion, for universal pre-K and childcare subsidies

for eligible families. Separate from the House Education and Labor Committee's work on their portion of the reconciliation bill, the House Energy and Commerce Committee is also expected to consider and advance legislation that could potentially include additional funding for broadband connectivity efforts through the Emergency Connectivity Fund-another key NSBA legislative priority.

With the House committee's work expected to wrap up next week, lawmakers on the House Budget Committee must next stitch these various proposals back together into a single legislative package for the full chamber's consideration. Congressional Democratic leadership has set a nonbinding deadline of September 15 to complete this work. The reconciliation bill's prospects in the Senate, however, remain opaque and it is unlikely that lawmakers in the upper chamber meet this deadline. Formal plans for consideration of the legislation have yet to be made public and it is widely expected that the Senate will move forward with a smaller overall reconciliation package, likely necessitating further reductions to the proposals contained in the version proposed by the House. As the budget reconciliation process moves forward, NSBA's advocacy team will continue working to ensure the needs of the K-12 community are fully represented in a final legislative package.

Administration Update

White House Announces Additional COVID Measures

On September 9, the Biden Administration released *A Path Out of the Pandemic* a sweeping new set of policies to require many Americans who have not yet been vaccinated against COVID-19 to receive a COVID-19 vaccination. In addition to a new vaccine requirement for all federal employees and contractors, the Department of Labor has been instructed to develop a rule through the Occupational Safety and Health Administration (OSHA) requiring any private employer with 100 or more employees to require vaccination against COVID-19 or require employees who will not get vaccinated to test at least weekly. The rule is expected to include fines of up to $14,000 per employee for employers that do not comply with the new requirements. It is anticipated that the states that have OSHA plans in place will also be required to include public school teachers in those requirements, though details are still forthcoming and it is not clear how the rule will account for those states that have passed state laws forbidding vaccination requirements. Additional details are expected once the rule has been made public; a number of Republican governors have already signaled that they plan to fight the new requirements in court.

Department of Education Announces New COVID-19 Grant Program for Districts

On Thursday, September 9, Department of Education announced the launch of a new grant program "to provide additional funding to school districts that have funds withheld by their state or are otherwise financially penalized for implementing strategies to prevent the spread of COVID-19 consistent with the Centers for Disease Control and Prevention (CDC) guidance, such as universal indoor masking". The grant program, Project SAFE (Supporting America's Families and Educators), anticipates using funding from Title IV, Part F, School Safety National Activities, of the

Every Student Succeeds Act. Per the Department, school districts are eligible to apply for the grants to restore funds withheld by the state, which includes pay cuts for school board members and superintendents due to the district's implementation of COVID-19 safety measures like mask requirements. The amount of funding available through Title IV has not been disclosed by the Department and the process to apply has not yet been made available.